

**REMARKS**

Reconsideration and allowance of the above-referenced application are respectfully requested.

**I. STATUS OF THE CLAIMS**

Claims 3 and 16 are cancelled herein without prejudice or disclaimer.

Claims 1, 2, 4-7, 9, 10, 12-15, 17-20, 22 and 23-25 are amended herein.

In view of the above, it is respectfully submitted that claims 1-2, 4-15 and 17-25 are currently pending and under consideration in the present application.

**II. DRAWING OBJECTIONS**

In items 2-3, on page 2 of the Office Action, the drawings are objected to. In view of the attached "Replacement Sheet" of FIGS. 1, 6B and 7B, the outstanding drawing objection should be resolved.

In view of the above, it is respectfully submitted that the objection is overcome.

**III. OBJECTION TO SPECIFICATION**

In item 5, on page 3 of the Office Action, the specification is objected to because of various informalities. The specification is amended herein to overcome the objection.

In view of the above, it is respectfully submitted that the objection is overcome.

**IV. CLAIM OBJECTIONS**

In item 6, on pages 3-4 of the Office Action, claims 9, 16 and 17 are "objected to." The claims are amended herein to overcome the objection.

In view of the above, it is respectfully submitted that the objection is overcome.

**V. REJECTION OF CLAIMS 9 and 22 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

In item 8, on page 4 of the Office Action, claims 9 and 22 are rejected under 35 U.S.C. 112, second paragraph. Claims 9 and 22 are amended herein to overcome the rejection.

In view of the above, it is respectfully submitted that the rejection is overcome.

**VI. REJECTION OF CLAIMS 1-8, 12-19, 24 AND 25 UNDER 35 U.S.C. § 102(E) AS BEING AS BEING ANTICIPATED BY FETTE ET AL. (USP# 6,052,600)**

The present invention as recited in claims 1 and 24, for example, relate to a method which comprises “constructing a transmission plan in the application software distribution system and transferring a transmission plan message to the mobile station,” “opening an application software file to be transmitted” and “transmitting the application software file to the mobile station.”

Thus, in the present invention, for example, a central server stores a user's unused programs or data to manage efficiently a memory in a mobile station of the user and complements the lack of storage in the mobile station. The server transmits the transmission plan message before transmitting an application program (see claim 1) and the unused programs or data based on an IP protocol.

Fette discloses a software programmable radio that receives information to configure a reconfigurable resource to perform an operation based on the information. It is respectfully submitted, however, that the teachings of Fette are entirely different from the present invention.

For example, Fette teaches that a mobile terminal receives information from a wireless communication service and re-sets the configuration of the mobile terminal to use various wireless communication services from a different communication system based on a different frequency, which is not the same as the present invention.

It is noted that although the transmission of data or a program between the base station and a mobile station exist in Fette and the present invention, Fette fails to teach that the server of the base station transmits/receives an application program to/from the mobile station in order to efficiently use the memory of the mobile station.

Claims 12 and 25 also relate to a method which comprises “receiving a transmission plan message from an application software distribution system,” “constructing a reception plan,” “receiving an application software transmission start packet from the application software distribution system,” “standing by to receive an application software file,” “receiving the application software file from the application software distribution system,” and “storing the application software file.” It is respectfully submitted that Fette also does not disclose the features recited in claim 12 and 25.

Claims 2 and 4-8, and claims 13-15 and 17-19 depend from claims 1 and 12, respectively. Thus, for at least the reasons that claims 1 and 12 distinguish over the cited prior art, it is respectfully submitted that claims 2, 4-8, 13-15 and 17-19 also distinguish over the cited

prior art.

In view of the above, it is respectfully submitted that the rejection is overcome.

**VII. REJECTION OF CLAIMS 9-11 AND 20-23 UNDER 35 U.S.C. § (A) AS BEING UNPATENTABLE OVER FETTE ET AL. IN VIEW OF CRISS ET AL. (USP# 6,643,506)**

The comments in section VI above, also apply here because claims 9-11 and 20-23 depend from claims 1 and 12, respectively. Thus, for at least the reason that claims 1 and 12 distinguish over the cited prior art, it is respectfully submitted that claims 9-11 and 20-23 also distinguish over the cited prior art.

In view of the above, it is respectfully submitted that the rejection is overcome.

**VIII. CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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